

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

**Hearing Date: December 17, 2019
Time: 10:00 a.m.
Objections Due: December 10, 2019
Time: 5:00 p.m.**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and Bernard L.
Madoff,

Plaintiff,

v.

DEFENDANTS LISTED ON ECF NO. 14283,

Defendants.

Adv. Pro. Nos. 10-04995
10-04818
10-04914
10-04826
10-04644
10-04541
10-04728
10-04905
10-04621

**NOTICE OF MOTION FOR FEES AND EXPENSES
PURSUANT TO FED. R. CIV. P. 37(a)(5)(B)**

PLEASE TAKE NOTICE THAT Irving H. Picard, as trustee (“Trustee”) for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa *et seq.*, and the estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), by and through his undersigned counsel, will move before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge, at the United States Bankruptcy Court, the Alexander Hamilton Customs House, One Bowling Green, New York, New York 10004, on **December 17, 2019 at 10:00 a.m.**, or as soon thereafter

as counsel may be heard, for fees and expenses pursuant to Fed. R. Civ. P. 37(a)(5)(B) (the “Motion”), as more particularly set forth in the Memorandum of Law in Support of the Motion and the Declaration of Maximillian S. Shifrin in Support of the Motion (the “Shifrin Affidavit”), annexed hereto.

PLEASE TAKE FURTHER NOTICE that written objections to the Motion must be filed with the Clerk of the United States Bankruptcy Court, One Bowling Green, New York, New York 10004 by no later than **5:00 p.m. on December 10, 2019** (with a courtesy copy delivered to the Chambers of the Honorable Stuart M. Bernstein) and must be served upon (a) Baker & Hostetler LLP, 45 Rockefeller Plaza, New York, New York 10111, Attn: David J. Sheehan; and (b) Securities Investor Protection Corporation, 1667 K Street, N.W., Suite 10, Washington, DC 20006 Attn: Kevin Bell.

PLEASE TAKE FURTHER NOTICE that failure to file timely objections may result in the entry of an order granting the relief requested in the Motion without further notice to any party or an opportunity to be heard.

Dated: New York, New York
November 15, 2019

Respectfully submitted,

BAKER & HOSTETLER LLP

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*Attorneys for Irving H. Picard,
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Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities
LLC and the estate of Bernard L.
Madoff*